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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/687,819

10/20/2003

Yasushi Shikata

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EXAMINER

THOMAS, JASON M

ART UNIT

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2623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/687,819	Applicant(s) SHIKATA ET AL.	
	Examiner Jason Thomas	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/687,819.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/13/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 3-12 have been considered but are moot in view of the new ground(s) of rejection.

Response to Amendment

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Remillard (U.S. Patent No. 5,504,519) in view of Holman (U.S. Patent No. 5,285,278).

Regarding claim 1: Remillard teaches a signal processing apparatus comprising: a receiving circuit for receiving data comprising print contents transmitted from a sender so as to be simultaneously receivable by a plurality of receivers (see [fig. 2], [fig. 4], [col. 5, ll. 1-15], [col. 7, ll. 56-64] for receiving publicly accessible broadcasted data through receiving circuits); and a processing circuit for outputting, to a printer, print data in accordance with both of the data received by the receiving circuit and user information of a user of the

signal processing apparatus (see [fig. 2], [col. 5, ll. 50-60] for a circuit which outputs to a printer; see also [col. 3, ll. 59-65], [col. 5, 33-52], [col. 8, ll. 21-27] for selecting and printing data in accordance with received print data and options selected by the user (user information) or user profile information).

Remillard does not teach wherein the data received by the receiving circuit comprises a plurality of sub print-contents which is part of the print contents, and wherein the processing circuit selects one of the plurality of sub print-contents in accordance with the user information, and obtains the print data from the selected sub print-content.

In analogous art, Holman, who discloses a coupon redemption system via a television, teaches sub print-contents in the form of user specific data bytes encoded within the coupon message received by the receiving circuit (see [fig. 5], [col. 13, ll. 3-18], [col. 14, ll. 10-35] for sub-print contents which include user specific information such as user name, customer I.D. number, address, credit card information, broadcast log information, etc.) which provide the opportunity to include in the printed coupon user specific information such as personal data or details of the television program being viewed when the coupon offer was selected (see [col. 9, ll. 38-64] where instructions are sent to a local printer to print a coupon with a barcode containing user specific information to be read by an optical reader).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include sub-print data in accordance with user

information, as taught in Holman, when printing a coupon for a product discount, as taught in Remillard, because by including sub-print contents in accordance with user information, store owners and product manufacturers can obtain valuable information to make adjustments to marketing efforts (see [col. 3, ll. 2-9], [col. 17, ll. 19-33])

Regarding claim 3: Remillard discloses a signal processing apparatus according to claim 1, wherein the data transmitted so as to be simultaneously receivable by the plurality of receivers includes data for use in sequentially generating stimuli perceptible by a user via a perception device (see [col. 2, ll. 56-58], [col. 6, ll. 5-23], [col. 7, ll. 6-13], [col. 7, ll. 56-60] for sequential generated stimuli via a television display in the form of regular broadcasting which the user watches).

Regarding claim 4: Remillard discloses all of the limitations of claim 1 including wherein the processing circuit includes at least a circuit for outputting, to the outside of the signal processing apparatus, a signal for requesting the print data of data from which the print data is obtainable (see [fig. 2] for a printer terminal), in accordance with data transmitted so as to be simultaneously receivable by the plurality of receivers and in accordance with information associated with a user of the signal processing apparatus (see [col. 6, ll. 5-7], [col. 7, ll. 56-60] for simultaneously receivable data in the form of tunable broadcasted data; see also [col. 6, ll. 16-30] where the user, along with any other user, can request information regarding a product; see also [col. 5, ll. 34-39], [col.

5, ll. 50-52] where the apparatus can capture and print any image from the television screen).

Regarding claim 5: Remillard discloses all of the limitations of claim 1 including wherein the user information includes at least information indicating a behavior history of the user (see [col. 2, ll. 14-19] [col. 2, ll. 58-65] for behavior history of the user).

Regarding claim 6: Remillard discloses all of the limitations of claim 5 including wherein a signal processing apparatus is further capable of indicating times at or for which the user perceived the stimuli generated on the basis of the data (see [col. 2, ll. 58-65], [col. 6, ll. 5-11] where time/date stamps are used to monitor programs the user watches).

Regarding claim 7: Remillard discloses all of the limitations of claim 1 including wherein the user information includes at least information indicating a property of the user (see [col. 2, ll. 14-19], [col. 2, ll. 58-65] for behavior history as a property of the user; see [col. 4, ll. 35-37] where a user property can include credit card information).

Regarding claim 8: Remillard discloses all of the limitation of claim 1 including wherein the user information includes at least identification information for identifying the signal processing apparatus (see [col. 6, ll. 23-24], [col. 6, ll. 54-57] where the information includes the electronic device's ID).

Regarding claim 9: Remillard discloses all of the limitations of claim 1 including wherein the user information is acquired on the basis of data received

by the receiving circuit (see [col. 6, ll. 5-30] where a host computer or appropriate facility periodically receives uploaded user information and on the basis of the apparatus receiving user attributes, triggers the display of special menus or informational graphics when a selected show matches a predefined criteria; see also [col. 7, ll. 53-55] and [col. 3, ll. 23-44] where user information unique to the user are received from another user's device through a receiving circuit; see also [col. 8, ll. 1-11], [col. 5, ll. 30-39], [col. 3, ll. 23-26] where user information can be acquired via exchanging (sending and receiving) information between two users or the host computer where data can then be received by a receiving circuit from a particular user which contains inherently unique user identification information to facilitate delivery or can be received from the host computer using such delivery identification information; also see [col. 6, ll. 54-57] where user information is acquired by receiving circuit).

Regarding claim 10: Remillard discloses all of the limitations of claim 1 including wherein the data transmitted so as to be simultaneously receivable by the plurality of receivers includes at least data for use in sequentially generating stimuli perceptible by a user via the perception apparatus (see [fig. 1] for a perception device; see also [col. 2, ll. 14-17], [col. 7, ll. 56-60] where the apparatus provides a user the ability to interact with television or cable programming; see also [col. 2, ll. 56-58] where apparatus has built in TV tuner for watching video; see also [col. 8, ll. 1-11] where apparatus has ability to receive television broadcast).

Regarding claim 11: Remillard discloses all of the limitation of claim 1 including a printer for printing in accordance with the print data output from the processing unit (see [fig. 1] for printer connected to apparatus; see also [col. 3, ll. 59-61] where a printer is connected to the apparatus; see also [col. 5, ll. 50-60] for an apparatus which has printer interface and prints a hardcopy).

Regarding claim 12: Remillard discloses a broadcasting method comprising the step of transmitting first data for producing print data to be printed by a printer to produce the print data at a particular signal processing apparatus that receives the first data in such a manner that data comprising the first data can be simultaneously received by a plurality of signal processing apparatuses wherein the signal processing apparatus selects a first data depending on the information associated with the user of the particular signal processing apparatus (see [col. 6, ll. 5-7], [col. 7, ll. 56-60] for simultaneously receivable data in the form of tunable broadcasted data; see also [fig. 2], [fig. 4], [col. 5, ll. 1-15], [col. 7, ll. 56-64] for receiving publicly accessible broadcasted data through receiving circuits; see also [fig. see also [col. 6, ll. 16-30] where the user, along with any other user since it is broadcasted, can request information regarding a product; see also [col. 5, ll. 34-39], [col. 5, ll. 50-52] where the apparatus can capture and print any image from the television screen; see also [col. 2, ll. 58-65], [col. 3, ll. 59-65], [col. 8, ll. 21-27] for selecting data based on user information).

Remillard however does not disclose a broadcasting method comprising a plurality of second data specifying signal processing to be performed on the first

data whereby the signal processing apparatus selects one of the plurality of second data depending on the information associated with the user of the particular signal processing apparatus.

In analogous art, Holman, who discloses a coupon redemption system via a television, teaches a type of second data in the form of user specific data bytes encoded within the coupon message received by the receiving circuit (see [fig. 5], [col. 13, ll. 3-18], [col. 14, ll. 10-35] for sub-print contents which include user specific information such as user name, customer I.D. number, address, credit card information, broadcast log information, etc.) which provide the opportunity to include in the printed coupon user specific information such as personal data or details of the television program being viewed when the coupon offer was selected (see [col. 9, ll. 38-64] where instructions are sent to a local printer to print a coupon with a barcode containing user specific information to be read by an optical reader).

At the time the invention was made, it would have been obvious to one of ordinary skill in the art to include a type of second data which depends on information associated with the user, as taught in Holman, when printing a coupon for a product discount, as taught in Remillard, because by including a type of second data which depends on information associated with the user, store owners and product manufacturers can obtain valuable information to make adjustments to marketing efforts (see [col. 3, ll. 2-9], [col. 17, ll. 19-33]).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Thomas whose telephone number is (571) 270-5080. The examiner can normally be reached on Mon. - Thurs., 8:00 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

J. Thomas

/Andrew Y Koenig/
Supervisory Patent Examiner, Art Unit 2623